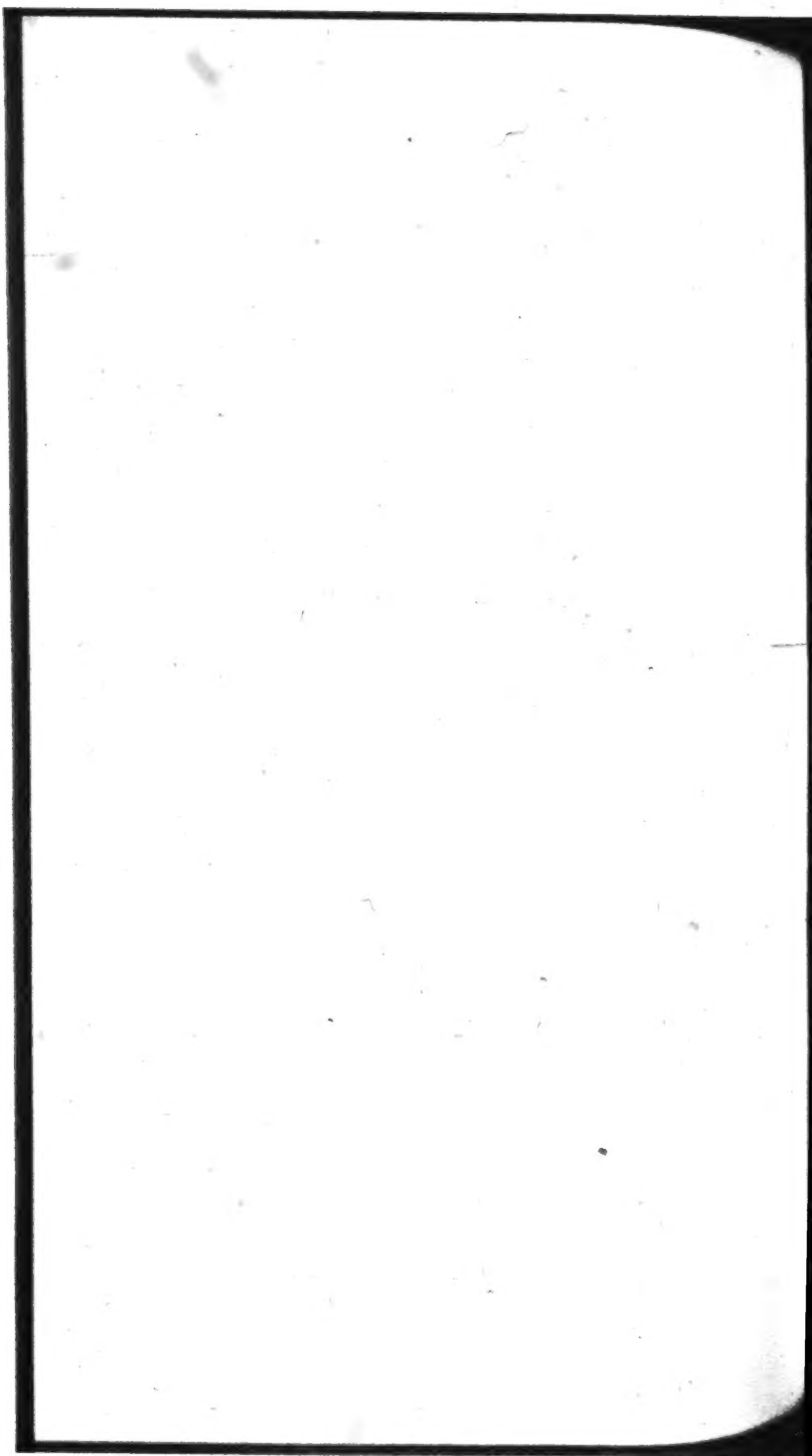


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Appendix.

IN THE

United States District Court

FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

No. 70C 3205

GEORGE P. BAKER, RICHARD C. BOND, JERVIS
LANGDON, JR., AND WILLARD WIRTZ, TRUS-
TEES OF THE PROPERTY OF PENN CENTRAL
TRANSPORTATION COMPANY, DEBTOR,

Plaintiffs,

v.

GOLD SEAL LIQUORS, INC.,

Defendant.

DOCKET ENTRIES.

- 12/22/70 Filed Complaint and one copy.
- 12/22/70 Filed designation.
- 12/22/70 Filed Affidavit re Rule 39.
- 12/22/70 Filed Security for Costs.
- 12/23/70 Issued summons and copy with copy of com-
plaint.
- 1/18/71 Filed appearance of defendant and that of its
attorney.

(A1)

- 1/18/71 Filed affidavit under Rule 39.
- 1/21/71 Filed Marshal's return on service of summons returned served.
- 2/16/71 Filed defendant's answer and counterclaim.
- 11/16/71 Filed Stipulation of facts.
- 11/22/71 Filed Plaintiff's Notice; Motion for summary judgment; and Affidavit with copy of order with bankruptcy no. 70-347; and order no. 69 in bankruptcy proceeding, in the Penn Central Transportation Co.
- 11/22/71 Plaintiff given 5 days to file brief in support of motion for summary judgment. Defendant given 20 days to file answer thereof and plaintiff given 5 days thereafter to file reply. Cause taken under advisement.
- NAPOLI, J.
Mailed notices 11/23/71.
- 11/29/71 Filed Memorandum in support of Plaintiff's motion for Summary Judgment.
- 2/16/72 Filed Defendant's Memorandum in opposition to Plaintiff's motion for summary judgment.
- 2/16/72 Leave given to defendant to file instanter memorandum in opposition to plaintiff's motion for summary judgment. Plaintiff given 10 days to reply. Cause set for March 10, 1972 at 1:30 pm for pretrial conference in the chambers of Judge Napoli Room 2156. NAPOLI, J.
Mailed notices 2/17/72.
- 2/25/72 Filed Plaintiffs' Reply to Defendant's Memorandum in Opposition to plaintiffs' motion for summary judgment.

- 3/10/72** Pretrial conference held. Motion for summary judgment previously filed herein is taken under advisement.
NAPOLI, J.
Mailed notices 3/13/72.
- 3/16/72** Pursuant to memorandum opinion and order, plaintiffs' motion for summary judgment is granted and judgment is hereby entered in favor of defendant and against plaintiffs in the amount of \$11,017.01. (DRAFT).
NAPOLI, J.
Mailed notices 3/16/72
- 4/10/72** Filed Plaintiff's Notice of filing Notice of Appeal; and Notice of Appeal. pd. \$5.00.
- 4/11/72** Mailed copy of Notice of Appeal to Max W. Petacque and Theodore J. Herst 10 S. LaSalle Chicago, Illinois.
- 4/21/72** Filed Stipulation as to the record on Appeal.

(Title Omitted in Printing)

COMPLAINT.

Now come George P. Baker, Richard C. Bond, Jervis Langdon, Jr. and Willard Wirtz, Trustees of the Property of Penn Central Transportation Company, Debtor, plaintiffs, and complaining against Gold Seal Liquors, Inc., defendant, states as follows:

1. This action arises under the laws of the United States regulating commerce, 49 U.S.C. §§ 3(2) and 6(7). This Court has jurisdiction of this action under 28 U.S.C. § 1337.

2. Penn Central Transportation Company is a corporation organized under the laws of the State of Pennsylvania and is a common carrier by railroad subject to the provisions of the Interstate Commerce Act, 49 U.S.C. § 1 et seq.

3. Defendant is a corporation doing business in the Northern District of Illinois.

4. During the period August 22, 1968 to and including June 18, 1970 plaintiffs received and transported for defendant's account various consignments of alcoholic liquors.

5. Pursuant to the charges provided in the lawfully published tariffs filed by plaintiffs with the Interstate Commerce Commission, there is due and owing from defendant to plaintiffs unpaid freight charges in the amount of Eight Thousand Two Hundred Fifty-Six and 61/100 (\$8,256.61) Dollars for the transportation of the consignments described in paragraph 4 above.

6. The dates, waybill numbers, car numbers and freight charges pertaining to the individual shipments are set forth in Appendix A attached to the complaint.

7. Defendant has refused to pay the above lawfully described charges although payment was duly demanded.

WHEREFORE, plaintiffs pray judgment against defendant in the amount of Eight Thousand Two Hundred Fifty-Six and 61/100 (\$8,256.61) Dollars together with interest and costs of suit.

GEORGE P. BAKER, RICHARD C. BOND,
JERVIS LANGDON, JR. AND WILLARD
WIRTZ, TRUSTEES OF THE PROPERTY
OF PENN CENTRAL TRANSPORTATION
COMPANY, DEBTOR,

Plaintiffs.

By EDWARD R. GUSTAFSON,
Edward R. Gustafson,

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